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APR 09 2008

OFFICE OF PETITIONS

In re Application of	:	
Henri Duong	:	
Application No. 10/725,226	:	ON PETITION
Filed: December 1, 2003	:	
Title: Back Driving Automatic Brake	:	
System & Automatic Braking System	:	
for Equipping in all Vehicles,	:	
Airplanes, Ships, Etc.	:	

This is a decision on the renewed petition to revive under 37 CFR 1.137(b), filed March 21, 2008.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to timely file a **proper** reply to the final Office action mailed December 30, 2005. This Office action set a shortened statutory period for reply of three (3) months. Applicant filed a response on January 23, 2006, but by Advisory Action mailed February 14, 2006, the Examiner advised Applicant that the response would not be entered because it failed to place the application in condition for allowance. Applicant filed another response on February 17, 2006, but once again this reply failed to place the application in condition for allowance. No further reply with an extension of time under 37 CFR 1.136(a) having been received, the above-identified application became abandoned on March 31, 2006. A Notice of Abandonment was mailed on August 7, 2006. Applicant filed a petition to withdraw the holding of abandonment on August 18, 2006, as well as a petition to revive under 37 CFR 1.137(a) on September 28, 2006. Both petitions were dismissed in a

decision mailed on October 16, 2006. Applicant filed a renewed petition October 23, 2006. However, the petition was dismissed in a decision mailed on January 16, 2007. Applicant then filed a renewed petition on January 30, 2007, which was dismissed in a decision mailed on March 26, 2007. On April 11, 2007, applicant filed a Notice of Appeal, in response to the March 26, 2007 decision. However, because the Notice of Appeal was not accompanied by a renewed petition under 37 CFR 1.137(b), the Notice of Appeal was not entered. Applicant then filed a request for a refund of the previously paid petition fees, which was dismissed in a decision mailed on March 12, 2008. Applicant was instructed that the application could still be revived if he filed a renewed petition under 37 CFR 1.137(b).

Applicant has filed a renewed petition under 37 CFR 1.137(b). The petition fee was previously paid on January 30, 2007. The required reply in the form of a Notice of Appeal was previously filed on April 11, 2007.

Please be advised that the two month period for filing an appeal brief (accompanied by the \$255 fee) runs from the date of this decision.

The application is being forwarded to Group Art Unit 3683 to await applicant's submission of the appeal brief.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions